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UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

| | |
|---|---|
| 1ST TECHNOLOGY, LLC,<br>Plaintiff,<br>v.<br>IQ-LUDORUM PLC,<br>PLAYTECH CYPRUS LTD.,<br>TILTWARE LLC, and<br>KOLYMA CORPORATION, A.V.V.,<br>Defendants. | CASE NO.: 2:06-cv-323-LDG-RJJ<br><br>**1ST TECHNOLOGY LLC'S RESPONSE TO THE COURT'S NOTICE TO COUNSEL PURSUANT TO LOCAL RULE 41-1** |

**1ST TECHNOLOGY LLC'S RESPONSE TO THE COURT'S NOTICE TO COUNSEL PURSUANT TO LOCAL RULE 41-1**

Plaintiff 1st Technology LLC ("1st Technology"), by and through its counsel of record HUTCHINSON & STEFFEN, LLC, hereby files this Response to the Court's December 20, 2006 Notice to Counsel pursuant to Local Rule 41-1. The Court's Notice indicates that if no action is taken by 1st Technology prior to January 19, 2007 with respect to defendant Kolyma Corporation, A.V.V. ("Kolyma"), the Clerk's office will make application to the Court for dismissal of Kolyma for want of prosecution.

1st Technology respectfully requests that the Court not dismiss Kolyma from this lawsuit. Kolyma is located in Aruba. Kolyma's location requires that 1st Technology effect proper service

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via the Hague Convention. The Court issued a summons as to Kolyma Corporation in April of 2006. Upon receiving the issued summons, counsel for 1st Technology initiated service of process on Kolyma via the Hague Convention. Copies of the summons, complaint and necessary translations were sent to the Central Authority in Aruba in May of 2006. (Exhibit 1, Affidavit of Celeste Ingalls). The Hague Convention does not impose an obligatory time frame for service. (Id.) The time frame for effected service in Aruba can exceed 5 months, as is the present case. (Id.) While counsel's efforts to properly serve Kolyma via the Hague Convention have continued, service has not yet been completed. 1st Technology has every intention of diligently prosecuting Kolyma in this case once service has been properly effected – a process which is incapable of being expedited by any further action on the part of 1st Technology's counsel. 1st Technology therefore respectfully requests that the Court forego dismissing Kolyma from this lawsuit.

DATED this 5th day of January, 2007.

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**CERTIFICATE OF SERVICE**

I hereby certify that on this 5th day of January, 2007, I deposited for mailing in the U.S. Mail a true and correct copy of the foregoing **1ST TECHNOLOGY LLC'S RESPONSE TO THE COURT'S NOTICE TO COUNSEL PURSUANT TO LOCAL RULE 41-1** to the following counsel of record:

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An Employee of Hutchison & Steffen, LLC